

Before the  
Federal Communications Commission  
Washington, D.C. 20554

MAILED  
NOV 14 2007  
FCC Media Bureau

In the Matter of )

Amendment of Section 73.202(b),  
Table of Allotments,  
FM Broadcast Stations.  
(Walden, Colorado)

) MB Docket No. 07-174  
) RM-11387  
)  
)  
)

**REPORT AND ORDER**  
**(Proceeding Terminated)**

**Adopted: October 31, 2007**

**Released: November 2, 2007**

By the Assistant Chief, Audio Division, Media Bureau:

1. The Audio Division issued a *Notice of Proposed Rule Making* in response to a Petition for Rule Making filed by Laramie Mountain Broadcasting, LLC ("Petitioner").<sup>1</sup> The *Notice* proposes the allotment of Channel 226C3 at Walden, Colorado, as potentially the community's second local aural transmission service.<sup>2</sup> Petitioner filed an FCC Form 301 application proposing allotment of Channel 226C3 at Walden, Colorado, and was required to submit a filing fee.<sup>3</sup>

2. Petitioner filed comments supporting the allotment of Channel 226C3 at Walden, reaffirming its intention to apply for the channel if it is allotted and, if authorized, to build and operate a station on that channel. No other comments were received.

3. Walden is a community for allotment purposes and is deserving of a second local service. We find that the public interest would be served by the allotment of Channel 226C3 at Walden, Colorado. Channel 226C3 can be allotted at Walden with a site restriction of 20.6 km (12.8 miles) west of Walden. The reference coordinates for Channel 226C3 at Walden are: 40-42-01 NL and 106-31-21 WL.

4. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act.<sup>4</sup>

<sup>1</sup> *Walden, Colorado*, Notice of Proposed Rule Making, DA 07-3623, released August 17, 2007 (MB 2007) ("*Notice*"). See 72 Fed.Reg. 51,208 (September 6, 2007).

<sup>2</sup> Youngers Colorado Broadcasting LLC is the permittee of new unbuilt Station KEZZ(FM), Channel 231C2, Walden, Colorado (File No. BNPH-20060310ADJ).

<sup>3</sup> File No. BNPH-20070125ACD. See *Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services*, Report and Order, 21 FCC Rcd 14,212 (2006).

<sup>4</sup> See 5 U.S.C. § 801 (a)(1)(A).

5. Accordingly, IT IS ORDERED, That effective December 17, 2007, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED as follows:

| <u>Community</u> | <u>Channel Number</u> |
|------------------|-----------------------|
| Walden, Colorado | 226C3                 |

6. IT IS FURTHER ORDERED, That the Secretary of the Commission shall send by Certified Mail, Return Receipt Requested, a copy of this Order to the following:

A. Wray Fitch III, Esq.  
Gammon & Grange, P.C.  
8280 Greensboro Drive, 7<sup>th</sup> Floor  
McLean, Virginia 22102-3807  
(Counsel for Laramie Mountain Broadcasting, LLC)

7. A filing window period for Channel 226C3 at Walden, Colorado, will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent *Order*.

8. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

9. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202) 418-7072. Questions related to the application filing process for Channel 226C3 at Walden, Colorado, should be addressed to the Audio Division, Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau